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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,698	01/25/2002	Timothy P. Blair	10014611-1	2041

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LE, DEBBIE M

ART UNIT PAPER NUMBER

2167

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/056,698		BLAIR ET AL.	
	Examiner		Art Unit	
	DEBBIE M LE		2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicants' argument filed on 7/12/04. Claims 21-23 are newly added. Claims 1-23 are presented for examinations.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5, 8-19, 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koss (US Patent Application No. 2004/0062213 A1) in view of Sheynblat et al (US Patent 6,677,894 B2).

As per claim 1, Koss discloses a method for facilitating use of the global positioning system (GPS) the method comprising:

coupling a client device (fig. 2, # 20) to a network (fig. 2, internet) and to a GPS device (the computer's GPS receiver, ¶ 0039, fig. # 60);

using the client device to access a database (fig. 3, # 312, querying a database, fig. 2, # 62) through the network, the database containing the GPS coordinates that correspond to a plurality of locations (geographical dependent content, ¶ 0032);

obtaining from the database the GPS coordinates corresponding to the at least one location (to obtain or create content that is appropriate for the location indicated in the HTTP request, appropriate for users that are located at a particular geographical location within a particular geographical zones, ¶ 0039, ¶ 0032); and

providing the GPS coordinates corresponding to the at least one location to the GPS device a (a server respond returns such customized content, ¶ 0037).

Koss does not explicitly teach that wherein the client device provides information corresponding to at least one location in a format that lack GPS coordinates for describing the at least one location. However, Sheynblat teaches that 'the client device provides information corresponding to at least one location in a format that lack GPS coordinates for describing the at least one location' as the client provides information associated with its location and/or a location of interest to a Web server, wherein the information (user-input data) is an estimated location [see col. 3, lines 40-44]. The estimated location is equivalent to the claim limitation "in a format that lack GPS coordinates". Thus, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to combine the teachings of the cited references to provide the step of the client device provides information corresponding to at least one location in a format that lack GPS coordinates for describing the at least one location as disclosed by Sheynblat's invention. This would allows users of Koss's system to able to communicate effectively outside of the range (the geographical area in which a mobile unit may operate in conjunction with the basestation(s)) provided by the basestation(s), as suggested by Sheynblat [see col. 3, lines 21-27].

As per claim 2, Koss teaches wherein providing the GPS coordinates to the GPS device is performed automatically (coordinates are embedded in the HTTP requests automatically, without any intervention by a user, ¶ 0034).

As per claim 3, Koss teaches wherein the network is the Internet (¶ 0020).

As per claim 4, Koss teaches wherein accessing a database comprises the steps of: accessing a predefined web page through the client device, the predefined web page being coupled to the database; and accessing the database through the predefined web page (GPSLocation:46.21. N, 85.30 W has been determined to be appropriated resource "/mymap.asp" from server "mobile.msn.com", ¶ 0035-0037).

As per claim 5, Koss teaches wherein accessing a predefined web page comprises the steps of: browsing to a particular location on the web through the client device; receiving in the client device a web page associated with the particular location, the web page including a link to the database; and displaying the web page associated with the particular location on a display associated with the client device (a user selects a hyperlink from hyperlinked web content, ¶ 0039).

Claims 8 and 15 are rejected under the same rationale as independent claim 1 arguments.

Claims 9 and 16 have the same limitation as claim 2; therefore, they are rejected under the same subject matter.

As per claim 10, Koss teaches wherein the GPS device is part of client device (communication through a network, ¶ 0016).

As per claim 11, Koss teaches wherein the GPS device is located remotely from the client device (over the internet, fig. 2)

As per claims 12-14, Koss teaches wherein the client device is a personal computer (PC), a personal digital assistant (PDA), a cellular telephone (¶ 0013, 0017, 0020).

Claims 17-19 have similar limitations as claims 3-5; therefore, they are rejected under the same subject matter.

As per claim 21, Sheynblat teaches wherein the information corresponding to the at least one location is provided as an address [see col. 14, lines 9-18, col. 6, lines 8-12].

Claims 22-23 have similar limitation as stated in depend claim 21; therefore, they are rejected by the same subject matter.

Claims 6-7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koss (USP Application No. 2004/0062213 A1) in view of Sheynblat et al (US Patent 6,677,894 B2) and further in view of Arner et al (USP Application No. 2002/0002599 A1).

As per claim 6, Koss and Sheynblat do not explicitly teach wherein accessing a database comprises the steps of: accessing an e-mail application through the client device, the e-mail application being coupled to the database; and accessing the database through the e-mail application. However, Arner teaches the step of accessing a database comprises the steps of: accessing an e-mail application through the client device (¶ 0139). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to

implement the step of accessing a database comprises the steps of: accessing an e-mail application through the client device because the system would provide the only related information which the user asked for to be downloaded and/or displayed to the client device as disclosed by Arner's invention. This would allow users of Koss's system and Sheynblat's system to assure that the client system will actually be able to execute the downloaded application, as suggested by Arner [see ¶ 0015].

As per claim 7, Arner teaches wherein the step of accessing an e-mail application comprises the steps of: establishing communication between the client device and an e-mail server; and accessing the e-mail application through the e-mail server (¶ 0140).

Claim 20 has similar limitation as stated in depend claim 6; therefore, it is rejected by the same subject matter.

Response to Arguments

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Applicants' argued that Koss does not teach the client device provides information corresponding to at least one location in a format that lack GPS coordinates for describing the at least one location. However, this limitation has been rejected by Sheynblat [see col. 3, lines 40-44].

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M LE whose telephone number is (571) 272-4111. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DEBBIE M LE
Examiner
Art Unit 2167

Debbie Le

Jan. 4, 2005.


GEETA ROTHMAN
PRIMARY EXAMINER